IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CASE NO.: **CWP No.14875 of 2006**

DATE OF DECISION: November 20, 2006

JAGDISH ...PETITIONER

VERSUS

STATE OF HARYANA & ORS. ...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ASHUTOSH MOHUNTA.
HON'BLE MRS. JUSTICE NIRMAL YADAV.

PRESENT: MR. R.D. YADAV, ADVOCATE FOR THE PETITIONER.

ASHUTOSH MOHUNTA, J. (ORAL)

Learned counsel for the petitioner contends that partition proceedings have been finalized at the back of the petitioner. It is contended that although it has been mentioned in the order that the parties were heard but actually no service was effected upon the petitioner.

A perusal of the impugned orders show that the petitioner was duly represented by a counsel thus, the petitioner cannot raise the ground that he was never served. The petitioner never raised any objections with regard to the mode of partition before the Assistant Collector and therefore, he cannot challenge the said orders. Moreover, even on merits the partition has been done fairly and is equitable.

No merit. Dismissed.

(ASHUTOSH MOHUNTA)
JUDGE

November 20, 2006
Gulati

(NIRMAL YADAV)
JUDGE